

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

BRIAN JENNINGS,

Plaintiff,

v.

**UMASS CORRECTIONAL HEALTH
CARE, et al.,**

Defendants.

Civil Action No. 14-12805-DJC

MEMORANDUM AND ORDER

CASPER, J.

December 8, 2014

Plaintiff Brian Jennings originally filed a joint complaint that was part of a multi-plaintiff civil rights action. See Stote, et al. v. UMASS Correctional Health Care, et al., C.A. No. 13-10267-NMG (the "2013 action"). The 2013 action was initiated by MCI Norfolk inmate John E. Stote concerning alleged inadequate medical care at MCI Norfolk. On June 25, 2014, the judge assigned to the 2013 action severed the individual prisoner claims into separate cases. See No. 13-10267-NMG, 06/25/2014 Memorandum and Order (the "June Order"), D. 20.

Pursuant to the directives of the June Order, the Clerk opened a new case for Jennings. See Docket, 14-12805-DJC. The June Order was mailed to Jennings at MCI - Norfolk. Id. As to the filing fee, the June Order granted each plaintiff sixty (60) days either to pay the \$400 filing and administrative fees or seek leave to proceed without prepayment of the fee. Also, the June Order stated that each plaintiff "who desires to file an amended complaint must do so within sixty (60) days of the date of this order."

Because Mr. Jennings was moved to the Souza Baranowski Correctional Center, the Clerk was directed to resend the documents to Mr. Jennings at the Souza Baranowski Correctional Center.

See 08/14/14 Procedural Order, D.4. The Procedural Order advised Mr. Jennings that if he wishes to pursue his claim, his deadline for complying with the June Order is August 25, 2014. The Procedural Order further advised Mr. Jennings that if he seeks additional time to respond, he shall file a timely motion for enlargement of time.

Mr. Jennings has not responded to the Court's order and the time to do so has expired. The documents sent to him were not returned to the Court as undeliverable and a search of the on-line Victim Information & Notification Everyday (VineLink) homepage reveals that he is still incarcerated at the Souza Baranowski Correctional Center. See VineLink Offender Locator, <http://www.vinelink.com> (last visited Dec. 8, 2014).

ORDER

Accordingly, it is hereby ORDERED that this action is DISMISSED without prejudice and without assessment of the filing fee.

SO ORDERED.

/s/ Denise J. Casper
Denise J. Casper
United States District Judge